

P07B:REV02

Attorney Docket 960160

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application No.: 08/767,355

Filed: July 19, 1996

International Application No.: PCT/DE95/00055

International Filing Date: January 16, 1995

86 Sparks Street  
Cambridge, MA 02138-2216

July 30, 1996

Hon.  
Assistant Commissioner for Patents  
Box PCT  
Washington, DC 20231

Submission of Missing Documents

Sir:

Enclosed herewith are:

- a) the duly executed Declaration and Power of Attorney;
- b) a Verified Statement regarding Applicant Fraunhofer's Small Entity Status;
- c) an Assignment including Cover Sheet and Appendix for Recording;
- d) a check for \$105.00 to cover the fees pursuant to 37 C.F.R. 1.16(e) and 1.21(h);
- e) a request for refunding excess national phase fee previously paid;
- f) a Certificate of Mailing pursuant to 37 C.F.R. 1.8; and
- g) a Post Card Receipt.

Respectfully submitted,

Karl Hormann  
Registration No.: 26,470

Area Code: 617-491-8867

960160

The stamp of the Patent Office hereon may be taken as acknowledging the receipt, on the date stamped, of an executed Declaration and Power of Attorney, Assignment for recording, a Small Entity Statement, a check for \$105.00, and a request for excess filing fee refund of \$669.00

KARL HORMANN  
86 SPARKS STREET  
CAMBRIDGE, MA 02138

3429

30 July19 96

53-60/113

Pay to the  
order of

U.S. Patent & Trademark Office \$ 105.00

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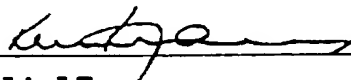
**BayBank**

14

BayBank Harvard Trust Company  
Massachusetts

App.No.: 08/676,355

Memo



⑆011300605⑆ 892 57983⑆ 3429

960160

The stamp of the Patent Office hereon may be taken as acknowledging the receipt, on the date stamped, of an executed Declaration and Power of Attorney, Assignment for recording, a Small Entity Statement, a check for \$105.00, and a request for excess filing fee refund of \$669.00

**Rec'd PCT/PTO 20 AUG 1996**

Attorney Docket 960160

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86 Sparks Street  
Cambridge, MA 02138-2216

July 30, 1996

Hon.  
Assistant Commissioner for Patents  
Box PCT  
Washington, DC 20231

Request for Refund of Excessive Fee Paid

Sir:

When filing their request to commence the U.S. National Phase of the instant application, Applicants' Attorney inadvertantly based his fee calculation on 37 C.F.R. 1.492(a)(3) ( $=\$1,010.00 + \$198.00 (1.492(c))$ ), overlooking that the application is entitled to 37 C.F.R. 1.492(a).

The correct fee would have been  $\$1,078.00 (1.492(a)(5) + 1.492(c))$ .

In view of the verified statement claiming small entity status of Fraunhofer, a refund to the undersigned Attorney of  $\$669.00 (\$1,010.00 - \$880.00 + \$880.00/2 + \$198.00/2)$  is indicated and is courteously requested.

Respectfully submitted,

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Karl Hormann  
Registration No.: 26,470

Area Code: 617-491-8867

08/676355



UNITED STATES DEPARTMENT OF COMMERCE  
 Patent and Trademark Office  
 Address: COMMISSIONER  
 Box PCT  
 Washington, D.C. 20530

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
08/676.355	GESELLSCHAFT	F 960160
		INTERNATIONAL APPLICATION NO.
		PCT/DE95/00055
		I.A. FILING DATE
		PRIORITY DATE
		01/16/95 01/19/94

KARL HORMANN  
 86 SPARKS ST  
 CAMBRIDGE, MA 02138-2216

5611

DATE MAILED: 09/04/96

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),  
☒ an Elected Office (37 CFR 1.495):

- ☒ U.S. Basic National Fee.  
☒ Copy of the international application in:  
☒ a non-English language.  
☒ English.

- ☒ Translation of the international application into English.

- ☒ Oath or Declaration of inventor(s) for DO/EO/US.

- ☐ Copy of Article 19 amendments.

- ☐ Translation of Article 19 amendments into English.

- ☐ The International Preliminary Examination Report in English and its Annexes, if any.

- ☒ Translation of Annexes to the International Preliminary Examination Report into English. *ENTERED*

- ☒ Preliminary amendment(s) filed 19.546.96 and \_\_\_\_\_

- ☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_

- ☐ Assignment document.

- ☐ Power of Attorney and/or Change of Address.

- ☐ Substitute specification filed \_\_\_\_\_

- ☒ Verified Statement Claiming Small Entity Status.

- ☒ Priority Document

- ☐ Other:

2. The following items **MUST** be furnished within the time period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

- ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

- ☒ c. Oath or Declaration of the inventors, in compliance with 37 CFR 1.63, identifying the application by International application number and International filing date.

- ☐ The current oath or declaration does not comply with 37 CFR 1.63 for the reasons indicated on the attached PTO-152.

- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$\_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a) - 2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 or ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note a processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

***A copy of this notice MUST be returned with the response.***

Enclosed: ☐ PTO-152 ☐ Notice of Defective Translation  
☐ PTO-875

FORM PCT/DO/EO/905 (May 1993).

Vonda M. Wallace  
 Paralegal Specialist

Telephone: (703) 305-3736

Attorney Docket 960160

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: PCT/DE95/00055

Filing Date: 7/19/96

For: Process for Finding the Receivability  
of Radio Signals in a Radio System

By: Fraunhofer-Gesellschaft et al.

86 Sparks Street  
Cambridge, MA 02138-2216  
17 September 1996

Hon.  
Assitant Commissioner for Patents  
Washington, DC 20231

Response to Notice of Missing Requirements  
35 U.S.C. 371

Sir:

In response to the Notice of Missing Requirements  
(copy enclosed) please note that the Declaration has been  
filed with the Patent and Trademark Office under cover  
the the undersigned Attorney's letter dated July 30, 1996  
(copy enclosed).

Respectfully submitted,

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Karl Hormann  
Registration No.: 26,470

KH:svl  
Enclosures

Certificate of Mailing - 37 CFR 1.8  
I hereby certify that this correspondence is being deposited with the United  
States Postal Service as FIRST CLASS MAIL today in an envelope with  
sufficient postage attached and addressed to the Asistant Commissioner for  
Patents, Washington, DC 20231.

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Karl Hormann  
Date: September 17, 1996

Attorney Docket 960160

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application No.: 08/767,355  
Filed: July 19, 1996  
International Application No.: PCT/DE95/00055  
International Filing Date: January 16, 1995

86 Sparks Street  
Cambridge, MA 02138-2216  
December 4, 1996

Hon.  
Assistant Commissioner for Patents  
Washington, DC 20231

Request for Refund of Excessive Fee Paid

Sir:

When filing their request to commence the U.S. National Phase of the instant application, Applicants' Attorney inadvertently based his fee calculation on 37 C.F.R. 1.492(a)(3) ( $=\$1,010.00 + \$198.00 (1.492(c))$ ), overlooking that the application is entitled to 37 C.F.R. 1.492(a).

The basic fee should have been \$880.00, resulting in a total fee of \$1,078.00.

A refund check for \$604.00 was received on or about September 10, 1996, leaving a balance in Applicant's favor of \$65.00.

A refund for \$65.00 is hereby courteously requested.

Respectfully submitted,

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Karl Hormann  
Registration No.: 26,470

KH:svl  
Area Code: 617-491-8867